



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

January 5, 2024

**By ECF**

Honorable Anne M. Nardacci  
United States District Judge  
James T. Foley U.S. Courthouse  
445 Broadway  
Albany, NY 12207

Re: *Variscite NY Four, et al. v. New York State Cannabis Control Board, et al.*  
1:23-CV-1599 (AMN)(CFH)

Dear Judge Nardacci:

I write on behalf of Defendants New York State Cannabis Control Board (“the Board”), New York State Office of Cannabis Management, Tremaine Wright, in her official capacity as Chair of the Cannabis Control Board and Chris Alexander, in his official capacity as Executive Director of the New York Office of Cannabis Management (collectively “Defendants”) to request that Defendants’ deadline to file an answer to the Complaint be held in abeyance pending further direction from the Court on Plaintiffs’ recently filed motion for a temporary restraining order and preliminary injunction. ECF Nos. 10-13.

Plaintiffs’ proposed Order to Show Cause [ECF No. 13] is currently before the Court, and as indicated in Defendants’ letter of December 28, 2023 [ECF No. 16], Defendants oppose the entry of a temporary restraining order pending a hearing on the preliminary injunction and will oppose Plaintiffs’ request for a preliminary injunction on a full record. Accordingly, Defendants request that the January 10, 2024 answer deadline be stayed pending a scheduling order from the Court regarding Defendants’ response dates on the pending motion.

Thank you for your consideration of this request.

Respectfully submitted,

**s/ Ryan W. Hickey**

Ryan W. Hickey  
Assistant Attorney General  
(518) 776-2616

Ryan.Hickey@ag.ny.gov

cc: All counsel of record (via ECF)